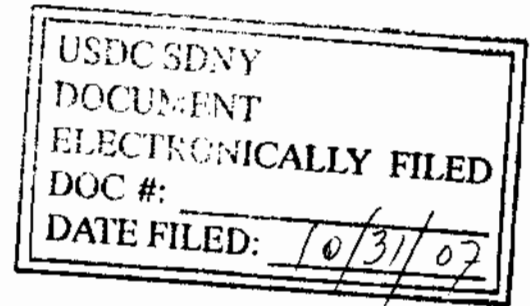


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----x  
Francis J. Harvey, Jr.  
Jean P. Wilhelm

Plaintiffs,

v.

320 Owners Corp.  
Charles Lowery

Defendants.  
-----x

07 Civ. 6763 (LAP)

ORDER

LORETTA A. PRESKA, U.S.D.J.

Decision is reserved on Defendants' motion to dismiss pending further briefing, discussed at oral argument this morning, in connection with Plaintiffs' motion for a preliminary injunction, including on the issue of Plaintiffs' likelihood of success on its alleged Due Process and Equal Protection claims. Counsel for Defendants shall submit opposition papers on or by November 7, 2007; counsel for Plaintiffs is directed to submit reply papers on or by November 14, 2007.

SO ORDERED:

DATED: New York, New York  
October 31, 2007

LORETTA A. PRESKA, U.S.D.J.